

# PRESS RELEASE

**Congressman John Conyers, Jr.**

**Fourteenth District, Michigan  
Ranking Member, Committee on the Judiciary  
Dean, Congressional Black Caucus**

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## **CONYERS CALLS BOSTON COURT'S DECISION TO DISMISS** **"AN ABDICATION OF CONSTITUTIONAL DUTY "**

Congressman John Conyers, Jr., Ranking Member of the House Judiciary Committee issued the following statement after yesterday's ruling by U.S. District Judge Joseph Tauro in Boston dismissing the suit seeking an injunction to bar President Bush from launching war against Iraq:

"The Judiciary is the body that was created to operate as a check on the other branches and to insure that the Constitution and Bill of Rights are enforced and protected. This failure to act only serves as an endorsement of the new Bush doctrine that one man can decide to wage war against any other nation on a preemptive basis, even if that country has taken no action against us or poses no direct or immediate threat.

There is ample precedent for the Judiciary acting to preserve our precious rights and liberties when the Executive Branch and the Congress could not or would not. You need to look no further than *Brown v. Board*, in 1954, when the Supreme Court unanimously decided that separate but equal violates the Bill of Rights, or *Baker v. Carr* in 1962, when the Court decided that each Congressional district had to be of equal size, to guarantee the principal of one person one vote or *Roe v. Wade* in 1972, when the Court decided that women had the right to choose. Or for that matter, *Marbury v. Madison* in 1803 when Justice Marshall had the courage to stand up to the Executive Branch and declare that the Judiciary would be the body who ultimately would decide how to interpret the Constitution. This court had a chance to walk in the footsteps of these giant decisions and protect and preserve the Constitution for all Americans for all time being and it chose to shy away.

Before us we have an Administration that is flaunting the Constitution and demeaning the court. When the Administration says that they can go to war on their own say if they believe it would protect "the national security interest" that is nothing less than an open-ended grab for imperial power worthy of Julius Caesar or Napoleon. This goes to the very core of the reason this country was founded.

Only Congress has the power to declare War. Article I of the Constitution could not be any more clear. While the resolution we approved last year gave the President several powers, one thing it did not do was declare War. It authorized diplomacy and going to the UN to seek action, but it never said Bush could do it alone."

##JUD-108-02/25/03##